

## **MINUTES**

### **MONTANA SENATE 59th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON NATURAL RESOURCES**

**Call to Order:** By **CHAIRMAN GLENN ROUSH**, on March 30, 2005 at  
3:00 P.M., in Room 102 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Glenn Roush, Chairman (D)  
Sen. Aubyn Curtiss (R)  
Sen. Kelly Gebhardt (R)  
Sen. Dan Harrington (D)  
Sen. Gary L. Perry (R)  
Sen. Bill Tash (R)

**Members Excused:** Sen. Greg Lind, (D) Sen. Mike Wheat (D),  
Sen. Ken Toole (D)

**Members Absent:** None.

**Staff Present:** Peg Holwick, Committee Secretary, Audio Technician  
Krista Lee Evans, Legislative Branch

00:00:00

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 470, 3/23/2005  
Executive Action: HB 399, HB 470

EXECUTIVE ACTION ON HB 399

00:01:46

Motion: SEN. TASH moved that HB 399 BE CONCURRED IN.

00:01:46

Discussion:

Motion: SEN. HARRINGTON moved amendments to HB 399.

00:03:39

Discussion:

EXHIBIT (nas67a01)

00:06:56

Motion/Vote: SEN. HARRINGTON moved AMENDMENT HB039904.akl be concurred in. Motion to failed 5-4 by voice vote with SEN. LIND, SEN. HARRINGTON, SEN. TOOLE, and SEN. WHEAT voting aye. SEN. LIND, SEN. TOOLE, and SEN. WHEAT voted by Proxy.

Discussion:

00:20:00 Jack Stults, Division Administrator, Water Resources Division, Department of Natural Resources and Conservation (DNRC)

00:34:00

Motion/Vote: SEN. TASH moved that HB 399 BE CONCURRED IN AS AMENDED. Motion failed 3-6 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, and SEN. TASH voting aye. SEN. LIND, SEN. TOOLE, and SEN. WHEAT voted no by Proxy.

00:35:29

Motion/Vote: SEN. HARRINGTON moved that HB 399 BE TABLED AND THE VOTE REVERSED. Motion carried 6-3 by roll call vote with SEN. CURTISS, SEN. GEBHARDT, and SEN. TASH voting no. SEN. LIND, SEN. TOOLE, and SEN. WHEAT voted by Proxy.

HEARING ON HB 470

00:37:34

Opening Statement by Sponsor:

REP. PAUL CLARK (D), HD 13, opened the hearing on HB 470, Applicants to pay for certain environmental impact statements.

**EXHIBIT** (nas67a02)

**Proponents' Testimony:**

00:42:26        Tom Liebers, Deputy Director, Montana Department of  
                 Environmental Quality (DEQ)  
00:51:42        Don Quander, Attorney, Holland and Hart  
00:54:38        Don Allen, Western Environmental Trade Association  
                 (WETA)  
00:55:32        Ann Hedges, MEIC  
00:56:22        Ed Bartlett, Attorney for Golden Sunlight Mine  
00:57:03        Bud Clinch, Montana Coal Council

**Opponents' Testimony:** None.

**Informational Testimony:**

00:58:14        Jack Stults, Water Resources Division, DEQ

**Questions from Committee Members and Responses:**

00:58:52        John North, Chief Legal Council, DEQ

00:59:59

**Closing by Sponsor:**

**EXECUTIVE ACTION ON HB 470**

01:01:20

**Motion/Vote:** SEN. HARRINGTON moved that HB 470 BE CONCURRED IN.  
**Motion carried unanimously by voice vote.**

01:05:34

**ADJOURNMENT**

Adjournment: 4:50 P.M.

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SEN. GLENN ROUSH, Chairman

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PEG HOLWICK, Secretary

GR/ph

Additional Exhibits:

**EXHIBIT ([nas67aad0.PDF](#))**